United Nations A/64/361

General Assembly

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Sixty-fourth session
Agenda item 11
Support by the United Nations system of the efforts of Governments to promote and consolidate new or restored democracies

Letter dated 15 September 2009 from the Permanent Representative of Lithuania to the United Nations addressed to the Secretary-General

In Lithuania's capacity as President of the Community of Democracies, I have the honour to transmit the text of the statement of the Community of Democracies Convening Group on the International Day of Democracy dated 14 September 2009 (see annex).

I should be grateful if the present letter and its annex could be circulated as a document of the sixty-fourth session of the General Assembly under agenda item 11.

(*Signed*) Dalius **Cekuolis**
Permanent Representative

09-52047 (E) 230909

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Annex to the letter dated 15 September 2009 from the Permanent Representative of Lithuania to the United Nations addressed to the Secretary-General

Statement of the Convening Group of the Community of Democracies on the International Day of Democracy

14 September 2009

The Community of Democracies congratulates all Member States of the United Nations and organizations of its system, the Conference of New and Restored Democracies, regional and intergovernmental organizations, non-governmental organizations and individuals on the occasion of the International Day of Democracy and calls on them to observe and celebrate it. The purpose of the global day of democracy is to raise public awareness on core democratic values and the state of democracy worldwide, and to promote dialogue and tolerance.

The Community of Democracies encourages Member States to strengthen national programmes devoted to the promotion and consolidation of democracy, including through increased bilateral, regional and international cooperation, taking into account innovative approaches and best practices and to consider recognizing 15 September as the official Day of Democracy.

The Community of Democracies reiterates that democracy is a universal value based on the freely expressed will of people to determine their own political, economic, social and cultural systems and their full participation in all aspects of their lives. Democracy, peace and security, development and human rights are interdependent and mutually reinforcing. It is essential that civil society organizations take responsibility and action to influence the agenda of the International Day of Democracy, making sure that the debate reflects issues relevant to various segments of the population, including the marginalized and people who are poor.

The Community of Democracies underlines that the current financial and economic crisis has brought new challenges that democracies must deal with and calls on Governments, parliamentarians and non-governmental organizations to discuss the implications of the current financial and economic crisis for democratic governance in order to sustain, expand and improve democratic governance at the local, national and global levels.

The Community of Democracies pledges to spare no effort to promote democracy and strengthen the rule of law, as well as respect for human rights and fundamental freedoms.

This statement is being made on behalf of the Convening Group of the Community of Democracies, chaired by Lithuania. The following 17 countries are the members of the Group: Cape Verde, Chile, the Czech Republic, El Salvador, India, Italy, Lithuania, Mali, Mexico, Mongolia, Morocco, the Philippines, Poland, Portugal, Republic of Korea, South Africa and the United States of America.

United Nations A/64/362–S/2009/479

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Security Council

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General Assembly
Sixty-fourth session
Agenda item 15
The situation in the Middle East

Security Council
Sixty-fourth year

Identical letters dated 18 September 2009 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and to the President of the Security Council

On instructions from my Government, I transmit to you herewith a statistical summary of Israeli violations committed from 1 to 14 September 2009 (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the sixty-fourth session of the General Assembly, under agenda item 15, and of the Security Council.

(*Signed*) Nawaf **Salam**
Ambassador
Permanent Representative

09-52158 (E) 230909 240909

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Annex to the identical letters dated 18 September 2009 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

Israeli violations, acts of aggression and other activities from 1 to 14 September 2009, inclusive

Air violations

On 1 September 2009:

- Between 0640 and 1555 hours, an Israeli enemy reconnaissance aircraft violated Lebanese airspace. It entered over Naqurah, flying at a height of 16,000 feet, and left over Yarun.
- Between 0710 and 2030 hours, an Israeli enemy reconnaissance aircraft violated Lebanese airspace. It entered over Naqurah, flying at a height of 17,000 feet, and circled over the South and the Bekaa before leaving over Alma al-Sha'b.
- Between 1135 and 1315 hours, two Israeli enemy warplanes violated Lebanese airspace. They entered over Kafr Killa, flying north, and circled over all regions of Lebanon before leaving over Alma al-Sha'b.

On 3 September 2009:

- Between 0645 and 1130 hours, an Israeli enemy reconnaissance aircraft violated Lebanese airspace. It entered over Rumaysh and flew north as far as Nabatiyah, circling over the South before leaving over the sea off Naqurah.
- Between 0932 and 1650 hours, an Israeli enemy reconnaissance aircraft violated Lebanese airspace. It entered over Naqurah and flew north as far as Sidon, circling over the South before leaving over the sea off Naqurah.
- Between 1222 and 1330 hours, two Israeli enemy warplanes violated Lebanese airspace. They entered over the sea off Naqurah and circled over all regions of Lebanon before leaving over Alma al-Sha'b.

On 4 September 2009:

- Between 0700 and 1215 hours, an Israeli enemy reconnaissance aircraft violated Lebanese airspace. It entered over Naqurah and circled over the South before leaving over Alma al-Sha'b.

On 6 September 2009:

- Between 0845 and 1400 hours, an Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah and flying north. It circled over the South before leaving over Alma al-Sha'b.

On 7 September 2009:

- Between 0735 and 1530 hours, an Israeli enemy reconnaissance aircraft violated Lebanese airspace. It entered over Naqurah, flying at a height of 20,000 feet, and circled over the Bekaa before leaving over Alma al-Sha'b.

On 8 September 2009:

Between 0700 and 2010 hours, an Israeli enemy reconnaissance aircraft violated Lebanese airspace. It entered over Naqurah and circled over the South before leaving over Naqurah.

Between 1017 and 1127 hours, two Israeli enemy warplanes violated Lebanese airspace. They entered over Kafr Killa and circled over the South before leaving over Kafr Killa.

On 11 September 2009:

Between 1648 and 1930 hours, an Israeli enemy reconnaissance aircraft violated Lebanese airspace, circling over Tyre and Naqurah before leaving over Naqurah.

Sea violations

On 1 September 2009:

At 0720 hours, an Israeli enemy gunboat in the open sea within occupied Palestinian territorial waters off Ra's Naqurah directed several bursts of medium-weapon gunfire over the water as a Lebanese fishing boat, driven by the movement of the currents, but without entering occupied Palestinian territorial waters, was approaching the region of buoy No. 8.

On 7 September 2009:

At 2025 hours, the Israeli enemy, from its position at Ra's Naqurah, directed a searchlight for five seconds some 50 metres inside Lebanese territorial waters in the direction of buoy No. 2.

On 8 September 2009:

At 2005 hours, the Israeli enemy, from its position at Ra's Naqurah, directed a searchlight for five seconds some 50 metres inside Lebanese territorial waters in the direction of a Lebanese fishing boat near buoy No. 4.

On 11 September 2009:

- At 0220 hours, the Israeli enemy, from its position at Ra's Naqurah, directed a searchlight for five seconds some 100 metres inside Lebanese territorial waters in the direction of the line of buoys.

- At 0500 hours, an Israeli enemy gunboat directed gunfire towards a Lebanese fishing boat within Lebanese territorial waters some five metres distant from the line of buoys, obliging it to retreat.

On 13 September 2009:

- At 1945 hours, the Israeli enemy, from its position off Ra's Naqurah, fired four tracer rounds over a Lebanese fishing boat within Lebanese territorial waters some 20 metres distant from buoy No. 3.

- At 1950 hours, the Israeli enemy, from its position at Ra's Naqurah, directed a searchlight for five seconds inside Lebanese territorial waters in the direction of the line of buoys.

- At 2015 hours, an Israeli enemy gunboat in occupied Palestinian territorial waters directed a searchlight for five seconds towards Lebanese territorial waters in the region of buoys Nos. 3 and 4.

- At 2020 hours, the Israeli enemy, from its position off Ra's Naqurah, violated Lebanese territorial waters, firing a number of rounds in the direction of the line of buoys.

On 14 September 2009:

- At 1940 hours, the Israeli enemy, from its position at Ra's Naqurah, directed five bursts of medium-weapon gunfire towards Lebanese territorial waters in the region of buoy No. 3.

Acts of aggression in the field

On 2 September 2009:

- At 2305 hours, an Israeli enemy patrol proceeding from the settlement of Misgav Am directed a searchlight for 10 seconds towards the Lebanese Army checkpoint at Addusiyah.

On 10 September 2009:

- At 1815 hours, a member of an Israeli enemy patrol within Palestinian territory opposite the Fatima gate directed verbal abuse towards a Lebanese Army recruit who was on sentry duty at the gate.

- At 1830 hours, a member of an enemy patrol directed verbal abuse towards Lebanese Army Major Sulayman Luhud who was exercising between points B84 and B85 (Kafr Killa).

On 11 September 2009:

- At 1535 hours, Israeli enemy forces fired 16 155-mm rounds of artillery fire, which landed outside the village of Qulaylah in the Tyre district, in response to the firing by unknown persons of two 122-mm Grad missiles that fell in the Aghzif region near Nahariyya inside occupied Palestinian territory. Subsequently, a number of communications from the Israeli enemy were received on the Lebanese land-line network in the Arabic language, to the effect that the rockets that had fallen within Israel would lead to the destruction of Lebanon; that Israel would retaliate; and that the Lebanese Army and Government would bear the responsibility.

On 14 September 2009:

- At 1130 hours, an Israeli enemy patrol inside occupied Palestinian territory opposite Kafr Killa-Fatima gate halted and one member thereof made an obscene finger gesture at Private Hatim Kassab, who was on guard duty at the aforementioned gate.

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General Assembly

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Sixty-fourth session
Agenda item 75
Report of the International Criminal Court

Expenses incurred and reimbursement received by the United Nations in connection with assistance provided to the International Criminal Court*

Report of the Secretary-General

Summary

The present report is submitted pursuant to paragraph 10 of General Assembly resolution 63/21 of 11 November 2008, by which the Assembly emphasized the need for the Secretary-General to inform the General Assembly at its sixty-fourth session on the expenses incurred and reimbursements received by the United Nations in connection with assistance provided to the International Criminal Court.

* The present document has been submitted late owing to technical reasons.

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1. During the period from 1 September 2008 to 31 July 2009, the United Nations provided to the International Criminal Court facilities and services in the amount of $424,174.94. That amount reimbursement for INTELSAT satellite communications, conference and related services, field security costs, library services and document digitization. In addition, the United Nations Organization Mission in the Democratic Republic of the Congo provided transportation and other services to the International Criminal Court amounting to $77,634.60 for the same period.

2. Additional expenses in the amount of $178,448.73 were incurred by the United Nations Logistics Base at Brindisi, Italy, the United Nations Office at Geneva, the United Nations Office at Vienna, the United Nations Office at Nairobi and the International Tribunal for the Former Yugoslavia for services provided for the period from 1 January 2003 to 31 July 2009 and were not previously reported.

3. The Court has regularly reimbursed the United Nations upon receipt of invoices.

4. A narrative of itemized details of facilities and services provided to the Court from 1 September 2008 to 31 July 2009 by the Organization and the United Nations Organization Mission in the Democratic Republic of the Congo are contained in annexes I and II, respectively, to the present document, and by the various entities for the period from 1 January 2003 to 31 July 2009 in annex III to the present report.

Annex I

Itemized details of facilities and services provided by the United Nations to the International Criminal Court from 1 September 2008 to 31 July 2009

1. Services shared by the International Criminal Court for INTELSAT satellite communications charges and maintenance amounted to $131,040.00.

2. The provision of technical services rendered by the Office of Central Support Services, Broadcast and Conference Support Section (BCSS) on 24 October 2008 in Conference Room 6 during the informal consultation of the International Criminal Court on the Court's 2009 budget amounted to $150.

3. Costs incurred in connection with the engagement of a consultant, Alexia Haywood, for a period of two months, from September to November 2008, to assist in the development of a system to process requests from the International Criminal Court for cases related to the Democratic Republic of the Congo amounted to $10,000.

4. The provision of accommodations and meals for Koenraad Deswaef and Isaie Niampa during Security Certification Programme #7, held from 2 to 21 December 2008, amounted to $9,711.00.

5. Services provided for participation in the Dag Hammarskjöld Library consortium membership for access to the United Nations System Electronic Information Acquisitions Consortium online services amounted to $31,198.67.

6. The accommodation costs of Jeff Kyle and Robert Bisel during Department of Safety and Security Refresher Training Programme #6 amounted to $6,334.00.

7. Participation in the jointly financed activity (JFA) costs related to the field security system operations for 2009 amounted to $58,797.22.

8. Costs, including travel expenses incurred in connection with the engagement of two consultants, Alexia Haywood and Maria Hillengonda Lamberink, to assist in the development of a system to process requests for cases related to the Democratic Republic of the Congo amounted to $9,288.20.

9. Charges for issuance of United Nations laissez-passer cards for the fourth quarter 2008 and the first quarter 2009 amounted to $200.

10. Conference services rendered by the Department of General Assembly and Conference Management (DGACM) for the seventh session (first and second resumed) of the Assembly of States Parties to the International Criminal Court held in New York from 9 January to 23 January 2009 and 30 January to 13 February, respectively, amounted to $159,517.67.

11. Consultancy fees for Maria Hillengonda Lamberink for assisting in the development of a system to process requests from the International Criminal Court for cases related to the Democratic Republic of the Congo amounted to $5,350.68.

12. Provision of services rendered by the Office of Central Support Services, Broadcast and Conference Support Section (BCSS) for Special Events for the resumed sixth session, held in conference room 6 at United Nations Headquarters from 2 June to 6 June 2008, amounted to $2,587.50.

Reference	*PAP*	*Third party*	*Fund ID*	*Amount*	*Subtotal*	*Description*
RCPR-6807	200810	1321	UNA	10 080.00		INTELSAT charges June 2008
RCPR-6835	200810	1321	UNA	10 080.00		INTELSAT charges July 2008
RCPR-6869	200812	1321	UNA	10 080.00		INTELSAT charges Sept 2008
RCPR-6886	200812	1321	UNA	10 080.00		INTELSAT charges Aug 2008
RCPR-7065	200902	1321	UNA	15 120.00		INTELSAT charges Oct 2008
RCPR-7057	200902	1321	UNA	15 120.00		INTELSAT charges Nov 2008
RCPR-7128	200905	1321	UNA	15 120.00		INTELSAT charges Dec 2008
RCPR-7162	200906	1321	UNA	15 120.00		INTELSAT charges Feb 2009
RCPR-7170	200906	1321	UNA	15 120.00		INTELSAT charges March 2009
RCPR-7166	200906	1321	UNA	15 120.00	**131 040.00**	INTELSAT charges Jan 2009
RCBI-37021	200812	1321	UNA	150.00	**150.00**	Reimbursable charges for technical services rendered by BCSS on 24 Oct. 08 re: TR# 2917
RCBI-37147	200901	1321	QSA	10 000.00	**10 000.00**	Consultancy fees for Ms. Alexia Haywood, OBID 16456, Ref. Memo from Carey to Kang, dated 2 January 2009
RCBI-37148	200901	1321	JFA	9 711.00	**9 711.00**	To bill the International Criminal Court for the accommodation expenses for Mr. Koenraad Deswaef and Mr. Isaie Niampa in the security certification programme #7, Ref. Memo from Ario Buentaran to Chulmin Kang dated 29 December 2008
RCBI-36338	200810	1321 1321	JFA OKA	31.79 1.59		Mid-year adjustments for 2008 for UNSEIAC. Ref. Memo Astapkov/Karia dated 26/8/08. Ref. 34758. (Library).
RCBI-37206	200901	1321 1321	JFA OKA	26 392.63 1 319.63		DHL consortium charges for 2009. Ref. Memo Astapkov/Karia dated 9/1/09.
RCBI-37207	200901	1321 1321	JFA OKA	453.60 22.68		DHL consortium charges for 2009. Ref. Memo Astapkov/Karia dated 9/1/09. OTP.
RCBI-37208	200901	1321 1321	JFA OKA	2 835.00 141.75	**31 198.67**	DHL consortium charges for 2009. Ref. Memo Astapkov/Karia dated 9/1/09. (STIC).
RCBI-37648	200901	1321	JFA	6 334.00	**6 334.00**	Accommodation costs of Mr. Jeff Kyle and Mr. Robert Bisel during the Department of Safety and Security Refresher Training Programme #6, as per memo J. Fraga/C. Kang, dated 27 February 09
RCBI-37746	200901	1321	JFA	58 797.22	**58 797.22**	International Criminal Court's share — United Nations jointly financed security management system — Billing for field-related security costs for 2009 per memo Buerle/Karia dated 12 March 2009
RCBI-37782	200903	1321	QSA	9 288.20	**9 288.20**	Travel cost for Ms. Alexia Haywood and consultation fee for Ms. Maria Lamberink for assisting in the development of a system to process requests for cases related to the Democratic Republic of the Congo. Ref. Carey/Kang memo dated 23 March 09
RCBI-37290	200812	1321	OJA	50.00		Reimbursable charges for United Nations laissez-passer cards issued for the 4th quarter 2008 as per memo Mikami/Karia dated 22 Jan. 2009
RCBI-38175	200903	1321	OJA	150.00	**200.00**	Reimbursable charges for the issuance of United Nations laissez-passer cards to specialized agencies for the period Jan-March 2009 as per memo Mikami/Kang dated 2 April 2009

Reference	*PAP*	*Third party*	*Fund ID*	*Amount*	***Subtotal***	*Description*
RCBI-38310	200904	1321	UNA	159 517.67	**159 517.67**	To reverse the charges from the Department for General Assembly and Conference Management to ICC towards meeting and documentation services to the 7th session (1st and 2nd Resumed) per memo Chiulli/Kang dated 23 April 2009
RCBI-38875	200906	1321	QSA	5 350.68	**5 350.68**	Consulting fees for Ms. Maria Hillengonda Lamberink for assisting in the development of a system to process requests from the ICC for cases related to the Democratic Republic of the Congo. Ref. Carey/Kang memo 31/07/09
PDCA 123552	200901	1321	UNA	2 587.50	**2 587.50**	Reimbursable charges for special events services rendered by BCSS for the resumed sixth session held in conference room 6 from 2-6 June 2008.
Grand total				**424 174.94**	**424 174.94**	

Annex II

Summary of support provided by MONUC to ICC-International Criminal Court

	Jan-Dec 2003	Jan-Dec 2004	Jan-Dec 2005	Jan-Dec 2006	Jan-Dec 2007	Jan-Aug 2008	Sep 2008-Jul 2009	Total
MONUC								
Airport services	—	—	1 961.00	2 758.80	—	—	—	
Rental of vehicle	—	2 608.78	8 468.23	—	—	—	45.82	
Fuel	—	—	16 189.45	20 328.98	26 777.11	2 016.35	2 432.16	
Commercial communication	—	6.88	—	—	—	—	—	
Maintenance supplies	—	—	1 105.00	—	—	—	—	
Utilities-electricity	—	—	—	—	7 500.00	—	—	
Operational map	—	—	—	229.00	—	—	—	
Rations-military	—	—	—	571.28	—	—	—	
Stationery & office supplies	—	—	—	1 317.84	—	—	—	
Airlift ICC vehicles-ENT/KIN/BUN	—	—	—	8 923.72	—	—		
Landing and ground handling fees	—	—	—	—	399.00	—	512.57	
Spare parts and supplies	—	—	—	—	—	96.00		
Maintenance services	—	—	—	—	720.00	276.00	—	
Rental of premises	—	—	—	—	—	—	553.24	
Rental and operation-fixed wing	—	—	—	—	—	—	8 607.89	
Crew accommodation in Entebbe	—	—	—	—	—	—	1 380.00	
Air transportation of staff within MONUC	—	—	—	—	—	—	52 958.54	
ID and pass issued to staff	—	—	—	—	—	—	2 013.15	
14% Administrative charges	—	—	—	—	—	—	9 131.23	
Subtotal	**—**	**2 615.66**	**27 723.68**	**34 129.62**	**35 396.11**	**2 388.35**	**77 634.60**	**179 888.02**

Annex III

Summary of support provided by other United Nations entities to ICC-International Criminal Court

		Jan-Dec 2003	Jan-Dec 2004	Jan-Dec 2005	Jan-Dec 2006	Jan-Dec 2007	Jan-Dec 2008	Jan-July 2009	Total
UNLB									
	Participation in UNLB-organized and managed training courses	—	—	652.13	9 815.40	4 125.83	3 437.80	4 740.24	
	Subtotal	**—**	**0.00**	**652.13**	**9 815.40**	**4 125.83**	**3 437.80**	**4 740.24**	**22 771.40**
UNOG									
	Travel-related charges	—	695.00	—	—	—	—	—	
	Services rendered for issuance of Visas, UN laissez-passer cards, UN Certificates, UN Family Certificates		—	3 095.08	4 960.00	8 016.85	10 197.18	—	
	Subtotal		**695.00**	**3 095.08**	**4 960.00**	**8 016.85**	**10 197.18**	**—**	**26 964.11**
UNOV									
	Salary costs of Mr. Delcour	19 215.76	26 751.67	—	—	—	—	—	
	Salary costs of Ms. Nedeljkovic	—	—	8 582.77	—	—	—	—	
	Subtotal	**19 215.76**	**26 751.67**	**8 582.77**	**—**	**—**	**—**	**—**	**54 550.20**
UNON									
	Loan of interpreters team to ICC meeting in Kampala 26 Jul to 01 Aug 2007	—	—	—	—	8 120.00	—	—	
	Conference services in respect of outreach for Sudan meeting held in Nairobi on 27-31 Oct 2007	—	—	—	—	55 984.95	—	—	
	Translation from Spanish to English	—	—	—	—	—	708.75		
	Subtotal	**—**	**—**	**—**	**—**	**64 104.95**	**708.75**	**—**	**64 813.70**
ICTY									
	Salaries of staff loan	3 293.41	—	—	—		—	4 084.42	
	Office equipment	—	—	—	1 004.23		—	—	
	Training	—	—	—	—		967.26	—	
	Subtotal	**3 293.41**	**—**	**—**	**1 004.23**	**—**	**967.26**	**4 084.42**	**9 349.32**
									178 448.73

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Sixty-fourth session
Agenda item 17
The situation in Afghanistan

Security Council
Sixty-fourth year

The situation in Afghanistan and its implications for international peace and security

Report of the Secretary-General

I. Introduction and overview

1. The present report is submitted pursuant to General Assembly resolution 63/18 and Security Council resolution 1868 (2009), in which the Council extended the mandate of the United Nations Assistance Mission in Afghanistan (UNAMA) until 23 March 2010. In its resolution, the Council requested a report on developments in Afghanistan every three months. This report reviews the situation in Afghanistan and the activities of UNAMA since my previous report of 23 June 2009 (A/63/892-S/2009/323).

2. Presidential and provincial council elections were held on 20 August 2009. At the time of publication of the present report, the final results had not been certified. The campaign focused on political agendas, and the preliminary results demonstrate actual competition between the candidates. Public engagement in the election campaign went beyond expectations. These were the first elections run entirely by the Afghan Independent Election Commission, with support from the United Nations Development Programme project entitled, "Enhancing legal and electoral capacity for tomorrow". The success of the Independent Election Commission in opening, equipping and staffing thousands of polling centres across the country was an achievement in itself. Voting, however, was unquestionably marred by irregularities. A campaign of intimidation by the Taliban stifled voter turnout, particularly in the south.

3. The level of alleged electoral irregularities has generated significant political turbulence leading to fears of a return to violence when election results are announced. Institutional processes are in place to resolve allegations about fraud, including the Electoral Complaints Commission, three of whose five members have been appointed by my Special Representative. The Electoral Complaints Commission has the final authority in adjudicating complaints. The Independent

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Election Commission began issuing uncertified partial preliminary results as at 25 August 2009. On 8 September 2009, the Electoral Complaints Commission ordered the Independent Election Commission to conduct an audit and a recount at polling stations where there were indicators of serious electoral irregularities. It is important to allow time and space for those processes to work according to the law.

4. The formation of a new Government will provide an opportunity to frame a new agenda and cooperation for Afghanistan and the international community, building on the mutual commitments agreed in London, Paris and The Hague. The present report describes a number of areas of progress with regard to institution-building and aid coordination, which the new Government must expand upon.

5. Insecurity will continue to challenge these efforts and countering it will remain a priority for the new Government. Efforts undertaken over the past several years to increase the number of national and international security forces have failed to stem the insurgency. The recently appointed Commander of the International Security Assistance Force has begun to implement a new approach that ranks the protection of the Afghan population as being the highest priority and includes a closer operational partnership with Afghan national security forces.

6. Human rights issues, in particular the rights of women, remain high on the agenda of concerns. The Shia Personal Status law signed by the President in March 2009, and reviewed following national and international criticism, was amended and entered into force in July 2009. The amended version addressed some concerns but still appears to legalize certain forms of discrimination. The present report also describes the humanitarian situation in the country and the response of the United Nations and the international community.

II. Political developments and elections

7. The election campaign began on 16 June 2009, with posters and billboards of the major candidates appearing in cities across the country. Presidential candidates, including the incumbent, took part in live television debates on a number of Afghan television stations, reaching millions of prospective voters. Each of the 41 candidates was given time to participate in televised round tables that were designed to highlight their respective platforms. Arrangements were made for the Ministry of the Interior to provide police protection and for the Ministry of Defence, within its capacity and where commercial flights were not available, to provide helicopter flights to candidates for campaigning. Several candidates travelled to different parts of the country, holding rallies attended by tens of thousands.

8. The degree to which the campaigns were based on political programmes was encouraging. Abdullah Abdullah, for example, proposed a replacement of the current presidential system with a parliamentary system and decentralized regional governance. President Karzai announced a five-point plan to improve security and increase economic growth. Others focused on the need to combat corruption, manage aid better, create jobs and housing, stimulate trade and establish a ceasefire with the Taliban.

9. The generally substantive tenor of the political debate during the campaign period was in large part due to the flourishing of national, private-sector media since the previous election. Broadcast media was particularly important, given

Afghanistan's high illiteracy rate, with radio broadcasts continuing to be the main sources of news in Afghanistan, and television growing in importance.

10. The five-member Media Commission established in May 2009 to monitor reporting of the electoral campaign and address complaints of media influence issued a series of monitoring reports during the campaign period. It asserted that the State-run media Radio Television Afghanistan failed to meet its obligations to provide the neutral and unbiased coverage required by the Electoral Law. The Ministry of Culture and Information contested these findings. Private-sector news and election reports were, in general, more balanced and provided much of the coverage of the main opposition candidates.

11. A number of presidential nominees publicly withdrew their candidature, many asking their supporters to vote specifically for one of the other candidates. The campaign period also featured numerous rumours of political "deals" or promises of support in exchange for positions in a future Government.

12. The United Nations and the international community stressed the need for a level playing field. My Special Representative reiterated that Government institutions and officials must not interfere in the electoral process. Nonetheless, UNAMA received a number of complaints alleging State interference, in most cases in favour of the incumbent. The most widely reported allegations related to open campaigning by governors on behalf of specific candidates; intimidation of opposition candidates and their supporters; attempts to pay for support; and the use of Government resources for partisan electoral purposes.

13. The Electoral Complaints Commission received 433 complaints during the campaign period, which ended on 18 August. One quarter of the complaints related to the Presidential election, about one third concerned Provincial Council candidates and the remainder were filed against other organizations or individuals involved in the electoral process, including the Independent Election Commission. The Electoral Complaints Commission issued 23 fines, including 17 to presidential candidates who did not produce financial disclosures in accordance with Independent Election Commission regulations.

14. UNAMA and the Afghan Independent Human Rights Commission issued two political rights monitoring reports, covering the candidate nomination period and the campaign period. Overall, and despite the difficult security situation, the nomination and the challenge process was conducted in accordance with electoral laws and regulations and the number of candidates increased when compared with the previous election, in particular in relation to women. The rights of candidates and their supporters during the campaign were respected, despite isolated incidents of documented violations. Nonetheless, women were significantly disadvantaged due to the cultural obstacles that inhibit their participation in public life and were disproportionately impacted by the intimidation tactics of anti-Government elements. The electoral process clearly demonstrated the need to strengthen the disbandment of illegal armed groups process, to implement the measures set out in the 2005 Action Plan on Peace, Justice and Reconciliation, and to build confidence in the judicial system. The weaknesses of the judicial system resulted in individuals allegedly responsible for serious human rights violations standing for public office.

15. A major concern during the final preparations for the election was the need to establish adequate security for the polling. To do so, a Joint Security Planning

Group was established in March. The Group streamlined security planning between the Afghan national security forces, the Independent Election Commission, international security forces and UNAMA. During the month before election day, a series of meetings were hosted by my Special Representative, including with the Ministers of Defence and the Interior, the National Security Directorate, the International Security Assistance Force, the Independent Election Commission and members of the international community, to address the increasingly problematic issue of securing the polling centres on the basis of the provisional Independent Election Commission planning figure of 6,969 polling centres. The Independent Election Commission insisted that all polling stations have Afghan National Police and Afghan National Army personnel present, even if their presence was, in some cases, to be supported by "community protection forces". As polling day approached, it was clear that not all sites could be secured. On 18 August, the Independent Election Commission announced that it intended to open 6,519 polling centres on election day. After the elections, the Independent Election Commission announced that it had opened 6,199 centres. Some of the centres had to be relocated from their originally planned site owing to security reasons.

16. The intensity of insurgency operations increased in the week before the election. On 15 August, a vehicle-borne suicide bomb exploded near the International Security Assistance Force base in Kabul City, killing at least seven people and wounding another 70. Another vehicle-borne suicide bomber careened into an international military convoy on 18 August, killing two International Security Assistance Force soldiers and seven civilians, and injuring at least another 50. Two UNAMA national staff members who were nearby were killed in the attack and one was wounded. These incidents were the first suicide attacks to occur in Kabul City since March 2009. Night letters and direct threats were reported countrywide, including the threat to cut off fingers marked with the indelible ink used to identify voters who had cast ballots. There were also increased reports of factionally inspired intimidation incidents.

17. This prelude, along with threat warnings received by the United Nations, contributed to fears that anti-Government elements would conduct a series of spectacular attacks on 20 August. In fact, election day saw a high number of stand-off attacks, improvised explosive devices and small-scale armed clashes. In total, some 300 incidents were recorded. Eighteen Afghan police were killed and 27 wounded on polling day; at least 30 civilians were killed and 31 were wounded.

18. Incidents of electoral fraud, irregularities and other problems were reported. Alleged irregularities included ballot box stuffing, premature closing of centres, opening of unauthorized centres, underage voting, multiple voting, proxy voting, campaigning by candidate agents inside polling centres and complaints by candidates about their agents not being permitted to enter and observe the voting. The Electoral Complaints Commission has received 2,842 complaints, of which 726, if determined valid, could have a material effect on the final results.

19. On 8 September, the Electoral Complaints Commission ordered the Independent Election Commission to conduct an audit and recount at polling stations where preliminary results had indicated either that the total number of votes cast was greater than 600 (the number of ballots provided for each station) or that any one presidential candidate had received 95 per cent or more of the valid votes, providing that the total number of votes exceeded 100. On 16 September, the

Independent Election Commission, which had began releasing uncertified partial results as of 25 August, issued final uncertified results for the presidential elections. The results of the elections cannot be certified by the Independent Election Commission until all complaints have been adjudicated by the Electoral Complaints Commission.

20. One safeguard of the electoral process was the presence of observers and candidate agents at the polling centres. The Independent Election Commission accredited 169,709 candidate agents for Provincial Council candidates and 92,897 agents for presidential candidates. In addition, it accredited 1,106 international observers and 9,228 domestic observers. International observers were unable to reach the most insecure areas of the country. The Free and Fair Election Foundation of Afghanistan, however, reported that it had deployed over 7,000 domestic observers in all 34 provinces across the country.

21. The electoral process crowded out almost all other political activity during the reporting period. It is significant, however, that every presidential candidate referred to the need for a reconciliation process to end the insurgency. My Special Representative spoke publicly on several occasions regarding the need for such a process to take place, and for it to be inclusive. For the level and shape of such a process to be determined, establishing a coherent national strategy must be a priority of the new Government.

III. Institution-building, governance and rule of law

22. The future Afghan State must be founded on solid institutions staffed with competent officials selected and promoted on the basis of merit. These are the minimum conditions for exercising the basic functions of Government at the central and provincial levels. Many efforts have been made over the past eight years to create these institutions. The efforts have been insufficient, despite significant investment. Frequently, they have undermined each other. Institution-building has also been undermined by the insufficient number of trained and qualified Afghans, by a tolerance for patronage and corruption, by the lack of an administrative culture and by the tendency of Afghan politicians to perpetuate old rivalries rather than to focus on the needs of State-building. The deteriorating security situation has also significantly hampered attempts to build law-based institutions. The insurgency has deliberately targeted institutions at their weakest points in order to prevent their consolidation.

23. Two main non-security-related factors drive qualified Afghans away from Government service: low pay, in particular if compared to the pay offered by non-governmental organizations and international organizations, which continue to have a high demand for competent Afghans; and patronage-based promotion systems. The main effort to address these problems has been the pay and grading reform process, which is at the centre of the overall public administration reform and entails an evaluation of existing staff, salary increases and merit-based career development for those whose capacities and skills match Government service needs. Approximately 230,000 civil servants, including teachers, will be assessed and will then be subject to the compensation and benefits of the new mechanism over the next four years. The reforms have so far been completed in the Ministries of Justice, Finance, Education, Communication, Agriculture, and Rural Rehabilitation and

Development. A similar process is being undertaken for judges, even though they are not considered civil servants.

24. Training Afghans who serve or wish to serve in Government is as important as retaining qualified staff. UNAMA has supported the Civil Service Commission in developing a standard curriculum across five common functions within the Civil Service: accounting, procurement, human resources, project management and policy development. Previously, different donors offered different curricula, often based on their own national institutions rather than on Afghan needs. The establishment of a single Afghan curriculum will ensure a much more coordinated and Afghan-centric approach to capacity-building. Over 15,000 members of the Civil Service will be trained on this curriculum over the next two years. In addition, my Special Representative, with strong support from the United Nations Educational, Scientific and Cultural Organization has encouraged the Ministers of Education, of Higher Education and of Labour, to work together to ensure that young Afghans are provided basic education, and that those with aptitude are provided opportunities to advance their education and develop their skills.

25. The lack of institutionalized structures and administration in Afghanistan accentuates the importance of sound leadership for these structures and in the administration. When competent ministers have been appointed to underperforming ministries, the ministries have dramatically improved. The same is true for Governors. Currently, there is no mechanism to ensure that this type of leadership is in place. The Advisory Panel for Senior Appointments, whose establishment was among the benchmarks of the 2006 Afghanistan Compact, is mandated to play this role, but is only sporadically consulted and has been less effective than hoped.

26. Administrative reform cannot be successful if the problem of corruption is not forcefully addressed. Progress has been made at a formal level: 27 ministries and Government institutions have provided anti-corruption action plans to the High Office of Oversight. The Ministries of Finance and of the Interior have begun implementing their plans while others are under review. Some 70 per cent of cabinet ministers and 1,200 senior Government officials have made personal asset declarations. Nonetheless, the implementation of these initiatives has lacked urgency and enforcement, causing a general mistrust in their effectiveness. Polls taken prior to the elections have revealed that corruption was a major concern among Afghans. There is concern not only about the aggravation of having to pay more for administrative processes or entitlements but, more importantly, about the resulting lack of confidence in the Government. This distrust has undermined the Government's authority and legitimacy, playing into the hands of the insurgency. The next Government of Afghanistan must recognize the critical importance of this issue and take visible, convincing and sustained action to address it.

27. Administrative reform, police reform (addressed in the section below) and anti-corruption efforts must take place within a strengthened framework of the rule of law. The blueprint for reforming the justice system is the National Justice Sector Strategy. The mechanism for implementing the strategy is the National Justice Programme. The Oversight Committee of the Programme meets regularly and, after a slow start in 2008, its advisory Board of Donors, co-chaired by UNAMA and, currently, the European Commission, now meets monthly. The main task of the Committee, with the assistance of the Board, must now be to reconcile the top-down, long-term programme of the National Justice Sector Strategy with the

realities on the ground. This means that an overall analysis must be conducted of how many courts and prosecutor offices are required and how they should be staffed within realistic time frames. Justice institutions must be built concurrently with police structures. Establishing clarity on both the judicial and police structures required for Afghanistan in the short- to medium-term must be a priority for the next Government.

28. The focus of most institution-building has so far been at the central level. The reform of subnational institutions has been hindered by a lack of clarity over their roles and their relationship to the central Government, as well as by their lack of capacity and resources. Government officials at the local level are also the most likely to be targeted by the insurgency, multiplying the difficulty of recruiting and retaining them. Furthermore, the lack of infrastructure for subnational institutions undermines their authority and effectiveness. According to a recent survey conducted by the Independent Directorate for Local Governance, in 364 districts in Afghanistan, a total of 184 district governors lacked offices, a total of 288 had no official vehicle and 318 district administrative centres had no electricity supply.

IV. Security and security sector reform

29. Insecurity continues to be the single greatest factor impeding progress in Afghanistan. The insecurity is caused by a politically driven insurgency, but it has also been exploited by criminal groups, drug traffickers and others. In many parts of the country it has overwhelmed the capacity of Afghanistan's State institutions.

30. The tactics adopted by the insurgency since its resurgence in 2005 have remained unchanged in their essence. These are an avoidance of force-to-force encounters, a reliance on asymmetric tactics, deliberate targeting of representatives of State institutions and international organizations and a disregard for human lives. The implementation of these tactics has more recently evolved in complexity. The combination of simultaneous suicide and stand-off attacks has enabled insurgents to overcome increased security measures around Government installations in particular. Furthermore, the insurgency is increasingly able to act in areas where it previously could not, in particular in the north-east and north-west of the country.

31. There has been an average of 898 incidents in the first seven months of 2009, compared to 677 during the same time frame in 2008. Incidents involving improvised explosive devices have risen dramatically, to an average of more than eight per day, 60 per cent higher than the average during the first seven months of 2008.

32. Complex attacks now average one per month compared to one per quarter in 2008. In the majority of these attacks, security forces responded professionally and quickly, effectively containing and limiting the impact of the attacks. The most recent such incidents include an attack against the Khost Police headquarters building by multiple attackers on 25 July and a suicide attack on 21 July against the Gardez National Directorate for Security headquarters, Police headquarters and Governor's compound, one of which shared access with the United Nations Multi-Agency Compound.

33. The United Nations, while not directly targeted, has suffered from exposure to insurgent attacks targeting others. As mentioned earlier in the present report, on

18 September, two national staff members were killed and another injured in a vehicle-borne suicide bomb attack on an international military convoy in Kabul.

34. Intimidation efforts by insurgents and the Taliban focused on discouraging participation in elections. Threats of violence were accompanied by publications in several languages questioning the legitimacy of the elections and the current Government. The publications also expressed highly negative views of the United Nations, using arguments previously espoused by Al-Qaida. On election day, there were relatively few civilian casualties, but the day saw the highest number of security incidents since 2001. The most widely used tactic was stand-off attacks by rocket and mortar fire. The geographical distribution of incidents was consistent with recent levels of violence. The majority of the incidents were recorded to have taken place in Kunduz in the north-east, Kandahar in the south, Khost in the south-east and Kunar and Nangarhar. The lack of spectacular attacks in Kabul and elsewhere on polling day can be attributed, at least in part, to effective operations by Afghan and international security forces.

35. The international military has responded to the insurgent threat over the past several years mainly by increasing the number of international and Afghan troops. The increase in insecurity described in the present and previous reports suggests that this approach has been insufficient. The new International Security Assistance Force Commander has adopted a qualitatively different approach, which focuses on protecting the population rather than on targeting insurgents. A tactical directive was issued restricting the use of air power and the conditions under which house searches and arrests were made. The new approach includes closer partnership between Afghan and international forces to make better use of existing Afghan capabilities and hasten their development.

36. The key to long-term stability in Afghanistan remains the training of Afghan national security forces, particularly the Afghan National Army and the Afghan National Police, as well as reform of the relevant ministries. As part of the Ministry of the Interior reform process, efforts are being made to establish the exact number of serving and active police personnel and to strengthen the human resource management mechanism. There remains a lack of clarity over the ideal size and composition of the police force. The Joint Coordination and Monitoring Body agreed that any increase in Afghan National Police strength must be based on the development of an internal national security strategy, which defines the roles and responsibilities of the various components of Afghanistan's national security forces and provides the basis for decisions on the size and composition of the police, and hence its structures and training requirements. A committee to draft the strategy has been set up under the lead of the National Directorate for Security, with international support.

37. The Afghan National Army continues to recruit and train faster than expected. Troop strength reached 93,000 in July 2009, 5,000 more than projected. The prospect of reaching the target strength of 134,000 by December 2011 therefore remains realistic. In accordance with the vision of International Security Assistance Force new leadership, the Afghan National Army is expected to play a larger role in planning and carrying out operations.

V. Counter-narcotics

38. Corruption, lawlessness, conflict and instability continue to have a negative impact on the drug situation in Afghanistan. Nonetheless, there have been significant positive trends. An overproduction of opium in recent years has led to a fall in prices while prices for alternative crops, wheat in particular, have risen. The loss of earnings is making the drug trade less attractive to farmers, with United Nations Office on Drugs and Crime figures suggesting that some 800,000 people have turned away from opium production. In 2009, gross income per hectare of poppy shrank by one quarter to $3,562 per hectare, from $4,662 per hectare in 2008. This market correction, which started in 2008, must be further stimulated if the current downward trend is to be consolidated and if its coverage is to be expanded nationally.

39. Since the beginning of 2009, opium cultivation in Afghanistan has decreased by 22 per cent, from 157,000 to 123,000 hectares, and the country now has 20 opium-free provinces, compared to 18 in 2008 and none in 2004. The sharp reduction in Helmand Province by one third is perhaps the most striking feature. This is a much welcomed trend since Helmand alone accounts for approximately 65 per cent of Afghanistan's total area under opium cultivation. Conversely, cultivated areas increased by 11,500 hectares over several provinces (Nangarhar, Badakshan, Kandahar, Dai Kundi, Badghis and Herat), indicating that stronger efforts must be made in order to maintain previous progress. Provinces and districts receiving lower levels of external support are vulnerable to a reversal in gains and prone to the insecurity and instability that feed on opium cultivation. The United Nations Office on Drugs and Crime, in conjunction with partner United Nations agencies, has initially focused on five districts in the western provinces, while other bilateral partners are active in the south and east of the country. The United Nations Office on Drugs and Crime is also supporting the Ministry of Counter-Narcotics to take the lead in improving the coordination of the various existing alternative livelihood initiatives and in improving their impact. To sustain progress, a balance must be struck between addressing core producing zones and devoting resources to consolidate poppy-free communities.

40. Renewed attention has been given to arresting high-level operators in the opium economy, dismantling drug trafficking networks and interrupting the flow of precursor chemicals into the country. At the meeting of Group of Eight foreign ministers held in Trieste in June, the United States of America announced a revised counter-narcotics policy, which accentuates the provision of alternative livelihoods and de-emphasizes eradication. Increased North Atlantic Treaty Organization and International Security Assistance Force support to Afghan national counter-narcotic agencies has led to the seizure of 47 tons of opium, 6 tons of dry morphine, half a ton of heroin and 16 tons of hashish thus far in 2009. The Criminal Justice Task Force has been investigating, prosecuting and convicting leading drug cases nationally. In this context, the March-April presidential pardon extended to five convicted traffickers sends the wrong signal and demotivates national actors who are working to convict high-level targets at great personal risk.

41. At the regional and international levels, under the trilateral initiative of the United Nations Office on Drugs and Crime "Rainbow strategy", the first joint international counter-narcotics operation between Afghan and Iranian law enforcement agencies was conducted from 26 to 28 July along the northern border

between Afghanistan and the Islamic Republic of Iran. The operation involved Afghan and Iranian border police and counter-narcotics police. Nearly half a ton of drugs was seized and several arrests made. Similar joint operations involving Pakistani and Iranian law enforcement agencies were conducted in March and again in August 2009. These initiatives should be an integral part of the agendas of the regular trilateral meetings of the Presidents of the Islamic Republic of Iran, Afghanistan and Pakistan.

VI. Afghanistan National Development Strategy and Joint Coordination and Monitoring Board

42. The 12th meeting of the Joint Coordination and Monitoring Board, held on 9 July 2009, consolidated the role of the Board as a central platform for strategic coordination and joint policy formulation between the Government of Afghanistan and the international community. The Afghanistan National Development Strategy, however, needs to be better focused. The first-year review of the strategy, released in July, concluded that an unambiguous set of priorities and programmes must be developed by the Government of Afghanistan. The Government currently has a strong economic team that has begun to set the development agenda more vigorously by prioritizing the Strategy and focusing on linked strategies to unlock the potential of Afghanistan's economic centres of growth, in particular agriculture, mineral resources and human development. UNAMA could play a more effective coordination role as a result of these more coherent and focused Government programmes.

43. Afghan leadership has become increasingly effective not only in setting the development agenda but in implementing its components. Since the beginning of the year, it has become increasingly clear that donor alignment has occurred when the Government has produced initiatives, such as in agriculture, private sector licensing reform and capacity development. In each case, programmes were presented by the Government to donors at a meeting of the Joint Coordination and Monitoring Board. This model — leadership by the Government of Afghanistan in setting policies and defining programmes, followed by Joint Coordination and Monitoring Board approval and ensuing donor support — has become the template for aid coordination. Donors, however, often remain insufficiently flexible, preferring to plan future funding decisions based on current priorities, rather than adjust their allocations quickly. Immediate donor support for an Afghan initiative was, however, provided to the Government in the crucial area of technical assistance and capacity development. UNAMA supported the Ministry of Finance in developing a civilian technical assistance plan. The plan is based on several clear principles, including that: technical assistance must be demand-driven; priority should be accorded to advisers from within the region; advisers must remain long enough to have a real impact; and the focus must be on mentoring Afghan staff. The first 55 of these positions, which reflect either the needs of ministries devoted to aid effectiveness or ministries that oversee sectoral priorities, have been identified. The recruitment process is under way with the support of a number of donors.

44. In June, my Special Representative challenged the international community to increase, by at least 10 per cent, the amount of goods and services they procure locally. This would strengthen the private sector and generate increased Government

revenue. Since then, Peace Dividend Trust, a non-governmental organization that tracks local procurement, has identified a clear upswing in the purchase of local goods and services by embassies and other organizations. The United Nations has led by example, increasing its overall procurement from local sources. This approach increases what Peace Dividend Trust defines as "spending the dollar twice": when funding remains in the country, it creates jobs and opportunities within the Afghan market, increasing the impact of every dollar spent.

45. Progress has been made in tracking the flow of development funding. An increasing number of donors now contribute to the development assistance database, managed by the Ministry of Finance. The refinement of the database, supported by UNAMA and the United Nations Development Programme, has increased the use of this tool and improved the visibility of development funding, in particular of funds not directed through the Government budget. Another positive development is that all provincial reconstruction teams are currently reporting regularly on their project activities to the Afghanistan country stability picture database (an International Security Assistance Force-led geographic database of reconstruction and development projects across the country, merging data from the ministries of the Government of Afghanistan, donors, non-governmental organizations and provincial reconstruction teams across the full spectrum of Afghan National Development Strategy sectors). Work is currently ongoing to merge the two databases. There is a critical need to monitor not only donor expenditures but also the impact of the assistance provided. UNAMA has been working with the Ministry of Economy to strengthen existing information management systems so as to better evaluate improvements and provide lessons learned on which methods of project implementation yield better and more sustainable results.

46. Not all the news on donor coordination and aid effectiveness is positive. Pledges and contributions to the Afghan Reconstruction Trust Fund for the current fiscal year is almost $50 million less than in 2008. Furthermore, according to the World Bank, donor preference for funding projects seen as priorities has increased to over 50 per cent. Often these donor priorities were established years earlier with minimal involvement by the Government of Afghanistan. The Afghan Reconstruction Trust Fund, a basket fund that finances core Government activities, is the primary Government mechanism to ensure that priorities are financed, and it is the only mechanism that enables the national budget to act as a strategic planning tool. The reduction in funding of the Afghan Reconstruction Trust Fund, and the increase in preferencing, reduce the Government's flexibility and its ability to exert leadership and prolong its dependency on the international community at precisely the moment when this dependency should be demonstrably reduced.

47. As security has deteriorated in some areas, key donors have refocused assistance on programmes that are designed to provide stability in the wake of combat operations. The need for these programmes is understandable, but it must not come at the expense of areas that are stable, on the one hand, yet increasingly vulnerable to the insurgency, on the other. There is a significant danger of backsliding in many areas of the country, if development resources are not leveraged to consolidate that stability. UNAMA has further recommended that stabilization initiatives should focus on national programmes, not be restricted to post-combat areas only and concentrate where possible on economic and employment generation and on linking communities with Government.

48. The relative importance of the provincial reconstruction teams in assistance delivery has increased in unstable areas. Provincial reconstruction team budgets have grown, and access of civilian development actors has diminished. The immediate goal of provincial reconstruction team projects is to provide stability through aid, and this short-term imperative sometimes comes at the expense of aid effectiveness principles. In order to align the work of provincial reconstruction teams with Government priorities and reliable aid effectiveness practices, the Executive Steering Committee was re-established in early 2009, under the leadership of the Independent Directorate for Local Governance.

49. Afghanistan's economic growth also depends heavily on its relationship within the wider south and central Asian region. Building this relationship in a way that contributes to Afghanistan's development, means developing transportation and energy networks and establishing the legal framework for such cooperation, including trade agreements and border management. The Government has increasingly begun to focus on the need for a dialogue with its northern neighbours on transborder water management. The United Nations and the World Bank have agreed to help build the capacity of the Government to conduct negotiations on the issue.

VII. Human rights

50. Much attention, both by the international arena and by Afghanistan, has focused on the rights of women in Afghanistan, in particular on the threat that rights secured so far may be eroded. The report of the Office of the High Commissioner for Human Rights and UNAMA entitled "Silence is violence: end the abuse of women in Afghanistan", which was issued in July, examined factors contributing to a rising trend of threats and attacks against women in public life and sexual abuse of women and girls. A culture of impunity for rape partly accounts for the deep-rooted nature of the problem and is entrenched in customs, attitudes and practices that dictate a subservient role for women in society. Other factors, including the role that conservative forces play in restricting women's rights, as well as inadequate efforts by the Government and others to challenge discrimination forcefully, threaten to erode the gains made to improve the situation of Afghan women. The controversy surrounding the Shia Personal Status law exemplifies the problem.

51. An amended version of the Shia Personal Status law was endorsed by presidential decree on 19 July and became enforceable on 27 July. Notwithstanding some improvements on an earlier version of the law, the United Nations is concerned that this law may still legalize discriminatory norms and traditional practices against women and contravene constitutional guarantees as well as international treaties to which Afghanistan is a State party. It is of concern that the law appears to permit underage marriage under specific conditions, restrict a woman's freedom of movement and, in the event of divorce, allow guardianship of children only to fathers and paternal grandfathers. On 19 July, President Karzai signed the law on the elimination of violence against women. The new law criminalizes sexual violence, including rape, forced and underage marriage, forced labour and prostitution. It represents a step forward in responding to and preventing violence against women and girls. It remains unclear whether the law will take precedence over the Shia Personal Status law.

52. My Special Representative paid particular attention to the issue of detention centres and visited several such centres in and around Kabul, including the detention facility at Bagram. The intention of the visits was to see the conditions of the detention centres in person, to see that the detainees were being provided with a means to be in touch with their families and that they had access to due process. The United Nations is working with Afghan justice institutions to strengthen their capacity to abide by national and international human rights norms regarding detention and the conduct of trials.

53. The United Nations has supported the establishment of a Human Rights Support Unit in the Ministry of Justice. The Unit is designed to assist all entities within the Government in formulating policies and programmes that are compliant with Afghanistan's international human rights obligations.

54. The Mission recorded 1,500 civilian casualties between January and August, with August being the deadliest month since the beginning of 2009. These figures reflect an increasing trend in insecurity over recent months and in elections-related violence. Almost three times as many civilian deaths (68 per cent) were attributed to anti-Government elements activities than to pro-Government forces (23 per cent). As detailed in the UNAMA mid-year bulletin on the protection of civilians in armed conflict, the most deadly tactics used and which accounted for the largest number of civilian casualties in the conflict to date were attributable to planted improvised explosive devices, and suicide attacks carried out by anti-Government elements accounted for 39.5 per cent of fatalities. Air strikes by pro-Government forces accounted for 20 per cent of fatalities.

55. Efforts were made to mobilize support for initiatives to protect mass graves and safeguard evidence that would be vital for an eventual process of accountability. UNAMA facilitated visits by the non-governmental organization Physicians for Human Rights to strengthen forensic capacity in Afghanistan, in particular in relation to a grave uncovered in the premises of the Ministry of Interior.

VIII. Humanitarian situation

56. Security incidents targeting humanitarian activities increased significantly. Humanitarian workers continued to be subject to intimidation, robberies, abduction and assassination. The Afghan National Safety Office reported 75 incidents in the first six months of 2009 alone. The worst incidents included attacks by armed groups on humanitarian convoys, abduction of humanitarian personnel, the destruction of a clinic and the direct targeting of an international non-governmental organization vehicle by a roadside bomb, resulting in the death of two aid workers. During the last week of July and the first weeks of August, attacks against humanitarian organizations decreased slightly, owing in part to a decrease in programme activities in several regions in the light of the elections.

57. Several incidents affected mine action workers. This notwithstanding, United Nations-supported mine action activities in Afghanistan contributed to the removal of approximately 80,000 anti-personnel landmines, 900 anti-tank mines and 2.5 million explosive remnants of war during the past 12 months, and provided mine risk education to more than 750,000 men, women, girls and boys. The number of casualties dropped in 2009 to under 50 victims per month, the lowest level in over 10 years. The concept of community-based demining has been developed as a means

of enabling landmine clearance in the most insecure areas and has been strongly supported by communities in the most volatile provinces in the east and south of the country. The initiative has been geared towards clearing villages and districts, bringing small salaries to deminers and cash to communities through local procurement of services and supplies.

58. The ongoing insecurity continues to adversely affect the humanitarian situation, causing temporary displacement and limiting access to those in need. In Helmand Province, the launch of the international military operation "Khanjar" led to the temporary displacement of some 2,000 households. Short-term displacement of civilians has also been reported in the western region (Badghis and Farah Provinces), as well as in the south-east and east (Khost, Pakitika, Nuristan, Nangarhar and Kunar Provinces), also in relation to military operations in proximity of those areas. The security situation hinders independent verification of needs and the delivery of assistance in conflict-affected areas.

59. The Afghan population continues to be affected by natural hazards. In the aftermath of the spring floods that affected 22,000 households in 13 provinces, and with winter approaching, the humanitarian community together with the Government is reviewing short- and long-term shelter needs.

60. In response to gaps in previous polio vaccination efforts, the World Health Organization and the United Nations Children's Fund launched a vaccination campaign in Kandahar, Uruzgan, and Helmand Provinces, with the goal of eradicating polio by the end of 2009, with support from the Ministry of Public Health and the International Security Assistance Force. Access negotiations were largely successful and vaccination teams were able to reach many children for the first time. However, the effort hit a serious obstacle with the abduction of an immunization team. Although most of the team was released after the intervention of community elders, the whereabouts of the team leader remain unknown.

IX. Mission operations and support

61. The UNAMA field offices continued to support the Government and its international partners in their efforts to improve the delivery of services to the Afghan population as a whole. The offices monitored political and human rights development and contributed to improving aid effectiveness and coordination at the subnational level and to carrying out the mandated good offices and outreach functions of the Mission.

62. The field structure of the Mission comprises eight fully integrated regional offices located in the Provinces of Bamyan, Paktya, Herat, Nangarhar, Kabul, Kandahar, Kunduz and Balkh and 12 provincial offices in the Provinces of Badakhshan, Badghis, Baghlan, Dai Kundi, Faryab, Ghor, Khost, Kunar, Nimroz, Sari-Pul, Uruzgan and Zabul. Two of these, Sari-Pul and Uruzgan, were opened earlier in 2009. The provincial office in Farah, is scheduled to open by the end of 2009. Completion of construction of the Ghazni office is planned for November 2009, with an opening in mid-December. Premises have been identified and negotiations are under way to open three additional provincial offices in 2009 (Jawzjan, Pansher, Takhar). These offices, with a planned opening date of mid-November, would bring the number of UNAMA provincial offices to 17 by year-end. The absence of suitable premises and the security situation in Lashkargah

(Helmand Province) are delaying the opening of an office in Helmand Province. The Mission will continue to use its liaison offices in Islamabad and Tehran for all of its activities with a regional dimension. Mission requirements for armoured vehicles for the field offices remain high and are increasing in the face of the continuing deterioration of the security situation around the country. Orders are in place for substantial deliveries in the coming months.

63. Expansion of the Mission's geographic coverage required deployment of additional administrative and technical staff to provide on-site support, in particular in the areas of engineering, transportation, security, communication, information technology and finance. The expansion also resulted in an increased need for air assets, which were provided in the 2009 budget. Additional air assets were also required to compensate for the reduction in land travel by the Mission as a result of decreased security and the need to access certain locations quickly in the event of medical evacuations or relocations of staff. These requirements also apply to 2010.

64. As a result of the planned future expansion and strengthening of UNAMA called for in Security Council resolution 1868 (2009), the estimated budget of the Mission for 2010 will increase overall by some 70 per cent over the 2009 budget. This includes a staffing increase of some 1,000 (of which approximately 170 would be international staff) and additional field offices to give UNAMA a presence in every province. The planned budget also reflects a significant increase in staffing for UNAMA donor coordination and aid effectiveness capacities to meet the requirements to enable the Mission to carry out its mandate effectively.

65. With the refocusing of the UNAMA mandate to include significant roles in donor coordination and aid effectiveness, several Member States have moved to support the initiative through the provision of gratis personnel with technical expertise in key areas in response to the United Nations call for the provision of such expertise in December 2008. These resources have been vital to UNAMA in establishing its role, in particular in the areas of agriculture, energy and private sector development. However, as the tenure of such staff with the Mission draws to a close, there will remain a need for specific technical skills to be brought into UNAMA for the longer term. A diverse and experienced pool of candidates must be available for what is a new and unique role within United Nations missions. Finally, UNAMA is seeking a small increase in the size of the Military Adviser Unit, and its presence in field offices, in order to better support the civil-military coordination mandate of the Mission and to liaise more effectively with Afghan and international military forces.

X. Observations

66. **The election has dominated the period since submission of my previous report in July. While the process has not been brought to its conclusion, certain observations can be made with regard to its various components.**

67. **First, these elections have been among the most demanding ever to be organized. To hold elections in a country in deep conflict, with weak institutions, weak infrastructure, a high illiteracy rate and 41 presidential candidates has been tremendously challenging from many perspectives. Nevertheless, the timetable was respected, with the exception of the counting**

and complaints period, most of the planned polling stations were opened and logistical operations were successful.

68. Second, the predictions of public apathy proved to be wrong. There was an engagement by the public during the campaign period and a debate between political alternatives, which have rarely, if ever, been seen in Afghanistan. The people wanted the elections to be held and wanted to see a consolidation of democratic processes, even under extraordinarily complex conditions. There are frustrations among the Afghan people about democratic institutions not having delivered enough, but there is no appetite to abandon those institutions.

69. Third, in spite of better safeguards being in place than had been in place during previous elections, serious electoral fraud occurred, made possible primarily — but not exclusively — by the lack of access to parts of the country owing to the ongoing conflict. This lack of access seriously hampered the transparency of the elections. Anti-fraud mechanisms, however, were able to detect much of the fraud that did occur, and institutions such as the Electoral Complaints Commission were able to address these problems.

70. Fourth, a number of lessons have been learned underlining the importance of starting the planning for the 2010 parliamentary elections immediately. These lessons are being evaluated now, and planning for 2010 has begun.

71. Following a decision by the Electoral Complaints Commission to review results from a number of polling stations, a credible audit and recount process is now coming to its conclusion. When the entire electoral process is completed, it will be of critical importance for the results to be accepted by all so that the election of Afghanistan's future president can be certified and a new Government can be formed.

72. It is imperative that the international community maintain a long-term commitment to Afghanistan. There must also be a decisive shift in the relationship between the Government of Afghanistan and the international community. The Government must be enabled and determined to assume all the responsibilities that belong to a sovereign State. The international community, for its part, must play a role that is clearly one of support. A new "contract" between the Government of Afghanistan and its people will be a critical component in this shift of responsibilities. The Government's ability to play this role more effectively and more convincingly will help consolidate the partnership between the Government of Afghanistan and the international community.

73. The level of trust that a future Government of Afghanistan can build with its people will have an impact on the level of the support that Governments of donor and troop-contributing countries receive from their constituencies for continued support to the efforts of the Government of Afghanistan.

74. The formation of a Government of Afghanistan will be the first critical step in reshaping these relationships. The new Government should demonstrate that it is determined and able to address the main concerns of its people, including security, the rule of law and the need for sustainable economic and social development. The Government must come closer to its people.

75. The new Government programme would have to include a comprehensive agenda to build Afghanistan's institutions, in security as well as civilian areas, at the national and local levels. Furthermore, it would have to include an agenda for sustainable economic growth based increasingly on Afghanistan's own resources. In both areas, the fight against corruption and the culture of impunity must be key components.

76. The international community should energetically embrace programmes that enable Afghanistan to assume fully its responsibilities as a sovereign State, facilitate an inclusive peace process and shape Afghanistan's status in the region. For the international community to play this role effectively, donors must devote sufficient resources and attention to high-impact activities that can bring sustainable improvements in the quality of the institutions and in the prospects for economic development. This will require a clear political will to follow established priorities.

77. In my previous report (A/63/892-S/2009/323), I underlined the need to maintain the positive momentum that has emerged in such critical areas as in the strengthening of security institutions and finance departments and in the agriculture sector. That momentum has been maintained in spite of the intense electoral process. This is in itself a remarkable achievement. When a new Government has been established, additional resources and attention must be devoted to accelerating and expanding these positive developments.

78. During the past months, donor coordination has also improved. There is a greater readiness to unite behind well-formulated national programmes and policies. However, much remains to be done in order to bring the Government and the international community together around a clear, priority-based strategy. UNAMA will continue to do its utmost to fulfil its mandate in this regard.

79. In order to do so, UNAMA will need greater resources as well as specialized personnel. I appeal to Member States to assist in providing these resources, which will be critical to our overall success in Afghanistan.

80. I would like to express my sincere gratitude to my Special Representative, Kai Eide, for his resolute efforts and commitment, and to all UNAMA staff for their unfaltering work, in particular in support of the electoral process, in difficult and dangerous circumstances. I also thank the Mission's partners, including the United Nations country team, Member States and the International Security Assistance Force, as well as humanitarian and other international partners, for their work and the support they continue to lend to UNAMA.

Annex

Benchmarks and indicators of progress

The strategic benchmarks and indicators of progress provided below are drawn from the overall mandate of the United Nations Assistance Mission in Afghanistan (UNAMA) as outlined in Security Council resolution 1868 (2009), and define the conditions required for self-sustaining security and development in Afghanistan. They are results-based and not tied to target dates, with the exception of election dates as set out in the Constitution. These benchmarks and corresponding indicators are meant to provide the Security Council with information relevant to determining the extent of progress towards fulfilling the objectives envisaged by the Council as well as areas that may require adjustment.

The first set of benchmarks addresses the main institution-building needs: improvements in the civil service at the national and subnational levels; establishment of a well-functioning, nationwide justice system; improvements in revenue collection; and the holding of credible elections in 2010.

The second set of benchmarks addresses improvements in security. The key actors are Afghan and international security forces (except the benchmark on civil-military coordination, which comprises a specific element of the UNAMA mandate), although UNAMA has the capacity to help monitor progress towards these benchmarks.

The third set of benchmarks concerns economic and social development. While UNAMA has a mandate for donor coordination, progress in this area will depend on well-designed programmes in key sectors adopted and implemented by the Government of Afghanistan, and on the readiness of key donors to align behind these programmes.

Finally, there are two sets of benchmarks on human rights and on counter-narcotics, cross-cutting issues that influence progress on other issues, but which are dealt with separately here.

The benchmarks do not include the question of a possible peace and reintegration process, which will require the elaboration of a plan by the Government of Afghanistan and well-orchestrated support from the international community.

These benchmarks may be refined in the light of future agreements between the Government of Afghanistan and the international community.

I. Governance and institution-building

Benchmark: extension of Government authority throughout the country through the establishment of democratic, legitimate, accountable institutions, down to the local level, with the capacity to implement policies and to be increasingly capable of sustaining themselves

Requirements for progress include political will and funding for the building of national and subnational institutions, including within the justice sector;

commitment to combat corruption and enforce the rule of law; and the capacity of relevant Afghan institutions to organize elections.

Indicators of progress	*Metrics*
Holding credible national and subnational elections	• Assessment based on UNAMA monitoring of the electoral process • Assessments of national and international election observers • Acceptability of results by voters, candidates and political parties
Improvements in civil service capacity at the central, provincial and district levels	• Assessment based on UNAMA tracking of merit-based appointments and training of civil servants • Assessment based on the monitoring of the public administrative reform process • Assessment based on the monitoring of provincial reconstruction team activities in support of capacity-building
Decreasing corruption within Government institutions	• Ranking by Transparency International • Assessment based on monitoring by UNAMA • Number of high-level criminal corruption cases investigated, prosecuted and tried
Increase in State revenue collection (taxes and tariffs)	• State revenue figures • Assessment on the level of implementation of customs reform
Establishment of credible judicial and penal systems that respect and uphold human rights, and a judicial system accessible to all citizens	• Assessment of the number of trained judges and prosecutors working at the provincial level based on monitoring by UNAMA • Assessment of the number of justice institutions and facilities (courthouses, equipment, etc.), operating in each province based on monitoring by UNAMA • Assessment on the number of criminal cases investigated, prosecuted and tried based on monitoring by UNAMA
Provision of adequate infrastructure to enable the functioning of Government institutions, especially at the subnational level	• Assessment of the number of provincial and district Government offices equipped and able to carry out essential functions based on monitoring by UNAMA

Indicators of progress	*Metrics*
Improved public perception of the integrity and effectiveness of the formal justice system and reliance upon it	• Assessment based on opinion polls and surveys

II. Security

Benchmark: development of a sustainable Afghan security structure that is capable of ensuring peace and stability and protecting the people of Afghanistan

Requirements for progress include an increase in the quality and quantity of Afghan National Police/Afghan National Army personnel and the gradual transfer of responsibility from international forces to Afghan national security forces; a sustained reconciliation process developed and led by the Government of Afghanistan; efforts to combat corruption within the Afghanistan security forces at the local and national levels; funding and expertise for mentoring and training.

Indicators of progress	*Metrics*
Increase in the number of police and army personnel mentored, trained and operational according to an agreed structure	• Establishment of the North Atlantic Treaty Organization (NATO) training mission — Afghanistan • Number of Afghan National Army and Afghan National Police who have completed basic/officer level training • Number of Afghan trainers within the Afghan national security forces • Assessment of provincial reconstruction team support to Combined Security Transition Command — Afghanistan/NATO training mission — Afghanistan and police reform efforts led by European Union Police Mission to Afghanistan • Number of Afghan National Army troops who are fully operational without international support • Percentage of districts covered by operational police stations • Percentage of districts exclusively secured by Afghan national security forces • Percentage of security operations conducted with Afghan lead

Indicators of progress	*Metrics*
Improved level of secure access by the Government, the international community and non-governmental organizations to districts across Afghanistan	• UNAMA field office monitoring • Government monitoring • International Security Assistance Force monitoring
Improvement in the public attitude towards the police and army and of public perceptions of the security situation	• Assessment based on opinion polls and surveys • Number of requests for intervention

III. Economic and social development

Benchmark: Government policies backed by international support to promote sustainable economic growth that contributes to overall stability

Requirements for progress include the adoption and implementation of strategies by the Government of Afghanistan for the sustainable development of Afghanistan; alignment of donors behind Government-designed programmes; improved coordination and coherent support by the international community to the Government and adherence to the principles of aid effectiveness; and long-term commitment on the part of the donors.

Indicators of progress	*Metrics*
Well-designed national programmes, in particular in the priority areas of agriculture, capacity-building, higher/vocational education, private sector development and infrastructure	• Assessment based on results and data from the development assistance database
Increased percentage of aid aligned behind the Afghanistan National Development Strategy and Government priorities	• Assessment based on results and data from the development assistance database • Integration of the International Security Assistance Force Afghanistan Country Stability Picture into the development assistance database
More equitable distribution of development aid and Government expenditure throughout Afghanistan	• Assessment based on results and data from the development assistance database
Increased revenue collection and sustainable growth based on Afghan resources	• Assessment based on national economic statistics
Increased percentage of goods and services procured locally by international actors	• Assessment based on periodic studies and surveys

Indicators of progress	*Metrics*
Increased foreign direct investment	• Assessment based on national economic statistics
Increased development at the subnational level	• Provincial development plans are reflected in the central Government budget and funds are allocated as appropriate
	• Assessment on the alignment of development activities conducted by all subnational actors, including the provincial reconstruction teams, with the provincial development plans based on monitoring by UNAMA
	• Assessment of the coherence and effectiveness of capacity-building programmes at the subnational level based on monitoring by UNAMA
	• Assessment of the number of programmes implemented by and for Afghans based on monitoring by UNAMA
Decrease in the percentage of households living below the poverty line	• Assessment based on polls and surveys

IV. Human rights

Benchmark: improved respect for the human rights of Afghans, in line with the Afghan Constitution and international law, with particular emphasis on the protection of civilians, the situation of women and girls, freedom of expression and accountability based on the rule of law

Requirements for progress include sustained willingness to adhere to international humanitarian law; an independent and effective police, judicial and penal system across the country; adherence by the central Government and subnational governments to Afghan legal and constitutional norms; and appropriate allocation of funds for training, capacity-building and infrastructure, and for civil society.

Indicators of progress	*Metrics*
Reduction in the number of incidents of unlawful use of force and in related intimidation involving civilians, and mitigation of the impact of the armed conflict on civilians, through compliance by relevant actors with international law	• Assessment based on monitoring by NATO/International Security Assistance Force
	• Assessment based on monitoring by Afghan national security forces
	• Assessment based on the application of the tactical directive of the International Security Assistance Force Commander
	• Assessment based on monitoring by UNAMA and the Afghan Independent Human Rights Commission

Indicators of progress	*Metrics*
Improved awareness by Afghans of their rights and by the Government of its obligations	• Assessment based on monitoring by UNAMA and the Afghan Independent Human Rights Commission
Improved impact of, and support for, measures (including legal and policy reform) to combat violence against women and girls	• Assessment based on monitoring by UNAMA and the Afghan Independent Human Rights Commission • Assessment of the number of criminal cases related to violence against women and girls successfully investigated, prosecuted and tried based on monitoring by UNAMA
Improved awareness of, and support for, measures (including legal and policy reform) in relation to impunity and the transitional justice agenda, as well as freedom of expression	• Assessment based on monitoring by UNAMA and the Afghan Independent Human Rights Commission • Implementation of the Action Plan on Peace, Reconciliation and Justice
Government fulfilment of reporting requirements on international human rights covenants and conventions and implementation of the recommendations from the Human Rights Council universal periodic review of Afghanistan	• Assessment based on monitoring by UNAMA
Improved capacity of Afghans and international actors, and primarily the Government, to respect, protect and fulfil human rights, including with the support of the Afghan Independent Human Rights Commission, the media and civil society	• Assessment based on monitoring by UNAMA and the Afghan Independent Human Rights Commission

V. Counter-narcotics

Benchmark: sustained trend in the reduction of poppy cultivation, narcotics production and drug addiction

Requirements for progress include effective programmes for alternative livelihoods and for combating crime and narcotics-related corruption; improved coordination between the Government of Afghanistan and neighbouring countries, including interdiction and counter-trafficking efforts; and improved coordination between the Government of Afghanistan and international security forces.

Indicators of progress	*Metrics*
Decrease in poppy cultivation and narcotics production	• Assessment based on monitoring by the UNODC
Increase in licit agriculture and related private capital investment in areas previously used for poppy cultivation	• Assessment based on monitoring by UNODC • Assessment based on monitoring by the Government
Decrease in addiction rates	• Assessment based on monitoring by the United Nations Office on Drugs and Crime
Increase in effective interdiction and counter-trafficking efforts, including through ISAF support to ANSF	• Assessment based on monitoring by the United Nations Office on Drugs and Crime • Assessment based on monitoring by the International Security Assistance Force